

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 21-CR-20732

v.

U.S. DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

LAVONTE SAMPSON,

Defendant.

_____ /

ORDER REGARDING: (1) DEFENDANT’S PENDING MOTIONS [ECF No. 92 and 94]; (2) DEFENDANT’S OBJECTIONS TO PROPOSED JURY INSTRUCTIONS [ECF No. 96]

I. Introduction

Lavonte Sampson (“Defendant” or “Sampson”) was indicted on December 7, 2021. He faces charges for Sex Trafficking of Children under 18 U.S.C § 1591(a) (“Count 1”) and Production of Child Pornography under 18 U.S.C § 2251(a) (“Count 2”). Trial began on January 24, 2024. On January 28 and 29, 2024, Sampson filed three matters: (1) Defendant’s Motion to Exclude Subjects of Martucci’s Proposed Testimony [ECF No. 92]; (2) Defendant’s Motion to Exclude Exhibit 25 [ECF No. 94]; and (3) Defendant’s Objections to the Government’s Proposed Jury Instructions. The Court held oral argument on January 29, 2024. At oral argument, the Court indicated that it would grant in part and deny in part Defendant’s two

Motions to exclude. And the Court indicated that it would overrule Defendant's Objections to the proposed jury instructions.

For the reasons stated on the record, Defendant's Motion to Exclude Subjects of Martucci's Proposed testimony is **GRANTED IN PART** and **DENIED IN PART**. It is granted with respect Sampson's request for the Court to preclude Martucci's testimony about why adolescents may lie about their age. The Motion is denied with respect to Sampson's request preclude testimony about trauma and dissociation and their impact on memory.

For the reasons stated on the record, Defendant Motion to Exclude Exhibit 25, 25(a), 25(b), 25(c), and 25(d) is **GRANTED IN PART** and **DENIED IN PART**. It is granted with respect to exhibits 25 and 25(a). It is denied with respect to exhibits 25(b)-(d).

For the reasons stated on the record, Defendant's Objections to Proposed Jury Instructions are **OVERRULED**.

SO ORDERED.

Dated: January 31, 2024

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
January 31, 2024, by electronic and/or ordinary mail.

s/ Lisa Bartlett
Deputy Clerk